

DEC. 2. 2002 1:51PM NIXON PEABODY LLP 5852631600

NO. 7845 P. 1

**Nixon Peabody LLP**  
Attorneys at Law

Clinton Square  
P.O. Box 31051  
Rochester, New York 14603-1051  
(585) 263-1000

Fax: (585) 263-1600

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**FAX**

To:	Company	Fax #:	Telephone #:
1) Tamala D. Holland	USPTO	703-746-3408	703-305-5483
2)			
3)			
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From: Janice Bowers	Date: December 2, 2002	No. of Pages: 14 (including this page)
<b>Comments:</b>  Ms. Holland: Per our telephone conversation regarding the attached notification of abandonment, attached are copies (including return receipt postcard) of response to missing requirements for 10/048,071 which was filed on 10/18/2002. Thank you for your assistance.  Janice Bowers Paralegal		

Original of the transmitted document will be sent by:  
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Received from <716 263 1600> at 12/2/02 1:56:07 PM [Eastern Standard Time] \_\_\_\_\_ TIME \_\_\_\_\_ BY \_\_\_\_\_

## UTILITY/DESIGN PATENT

(Missing Parts)

Date: 10/18/02Date of O.A.: 4/10/02Rec'd in the U.S. Patent & Trademark Office on the date stamped hereon  
via Certificate of Mail:Case # 2221/1023 SN: 10/048,071 Filed: 7/25/00Applicant: D. Donnell et al.Title: DATA Replication Programs Atty: ERMVERIFIED BY: Asst: WLB

Quality Control:

- ☒ Transmittal Sheet in Duplicate  
☒ Decl. and Power of Attorney (6pgs.)  
☐ Decl. by Inventor  
☐ Assignment in \_\_\_\_\_ pgs.  
☐ Power of Attorney Under Rule 32  
☐ Request for 5 Mo. Extension of Time in Duplicate  
☐ Small Entity Statement  
☒ Copy of Notice to File Missing Parts  
☐ Letter Requesting Refund  
☒ \$ 180.00 Check for Missing Parts Ext. of Time  
☐ \$ Check for Assignment

Statement of Invention w/37 CFR Sec. 1.821(f)-(g)  
10/3/02 Computer readable data

DTDS Rec'd PGT/PTO 23 OCT 2002

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OCT 28 2002

FILE 2221/1023  
JK

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/048,071	Michael E. O'Donnell	22221/1023
INTERNATIONAL APPLICATION NO.		
PCT/US00/20666		
LA. FILING DATE	PRIORITY DATE	
07/28/2000	07/29/1999	

Edwin V Merkel  
Nixon Peabody  
Clinton Square  
PO Box 31051  
Rochester, NY 14603-1051

CONFIRMATION NO. 1435

371  
ABANDONMENT/TERMINATION  
LETTER

\*OC000000009111139\*

Date Mailed: 11/15/2002

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 04/10/2002 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

TAMALA D HOLLAND

Telephone: (703) 305-5483

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

PATENT  
Docket No.: 22221/1023 (RU-429)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : O'Donnell et al.

Serial No. : 10/048,071

Cnfrm. No. : 1435

Filed : July 28, 2000

For : DNA REPLICATION PROTEINS OF GRAM POSITIVE BACTERIA AND  
THEIR USE TO SCREEN FOR CHEMICAL INHIBITORS

**TRANSMITTAL LETTER**

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202  
Box: PCT

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, which was mailed by the United States Patent and Trademark Office on April 10, 2002, enclosed are:


- ☒ Two SIGNED Combined Declaration and Power of Attorney (6 pages in total).
- ☒ A Request for Five-Month Extension of Time.
- ☒ Statement in Accordance With 37 CFR § 1.821 (f)-(g) and computer readable 3.5" diskette.
- ☒ Applicants claim small entity status. (See 37 CFR 1.27.)
- ☒ A copy of the Notification of Missing Requirements.
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.
- ☒ Fees as calculated below:

FEE FOR FIVE-MONTH EXTENSION OF TIME \$980.00

TOTAL FEES SUBMITTED HEREWITH \$980.00

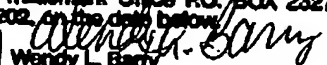
- ☒ A check in the amount of \$980.00 to cover the above fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: October 18, 2002

  
Edwin V. Merkel  
Registration No. 40,087

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1128  
Facsimile: (585) 263-1600  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office P.O. BOX 2327 Arlington, VA 22202, on the date below.	
Date	<u>10/18/02</u>  Wendy L. Barry